

**SUPREME COURT MINUTES  
WEDNESDAY, JULY 2, 2003  
SAN FRANCISCO, CALIFORNIA**

**S024599**

PEOPLE v. JONES (MICHAEL LAMONT)

Time extended to consider modification or rehearing

to September 15, 2003, or the date upon which  
a rehearing is either granted or denied.

**S115823**B158966 Second Appellate District,  
Division Two

REYNOLDS v. BEMENT

Time extended to grant or deny review

to August 8, 2003

**S115941**

C043467 Third Appellate District

HOPKINS v. W.C.A.B. (GRANT JOINT UNIFIED)

Time extended to grant or deny review

to August 8, 2003

**S115963**G032227 Fourth Appellate District,  
Division Three

KOLL CONSTRUCTION v. S.C. (NEGRINELLI)

Time extended to grant or deny review

to August 13, 2003

**S015384**

PEOPLE v. LETNER &amp; TOBIN

Extension of time granted

to September 8, 2003 to appellant LETNER to  
file appellant's opening brief. After that date,  
no further extension will be granted.  
Extension is granted based upon counsel R.  
Clayton Seaman's representation that he  
anticipates filing that brief by 9/6/2003.

**S029011**

PEOPLE v. SOLOMON (MORRIS, JR.)

Extension of time granted

to September 2, 2003 to file appellant's  
opening brief. After that date, only one  
further extension totaling about 60 additional

days will be granted. Extension is granted based upon counsel Bruce Eric Cohen's representation that he anticipates filing that brief by 10/27/2003.

**S031603**

PEOPLE v. LEWIS (JOHN)  
Extension of time granted

to September 2, 2003 to file appellant's opening brief. After that date, only one further extension will be granted. Extension is granted based upon Assistant State Public Defender Kathleen M. Scheidel's representation that she anticipates filing that brief by 10/29/2003.

**S038499**

PEOPLE v. BELL (STEVEN M.)  
Extension of time granted

to September 10, 2003 to file respondent's brief.

**S040527**

PEOPLE v. DEPRIEST (TIMOTHY LEE)  
Extension of time granted

to September 2, 2003 to file appellant's reply brief. Extension is granted based upon counsel Russell S. Babcock's representation that he anticipates filing that brief by 9/2/2003. After that date, no further extension is contemplated.

**S045982**

PEOPLE v. AVILA (JOHNNY JR.)  
Extension of time granted

to August 29, 2003 to file respondent's brief. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon Supervising Deputy Attorney General Louis M. Vasquez's representation that he anticipates filing that brief by 9/30/2003.

**S049973**

PEOPLE v. KELLY (DOUGLAS OLIVER)  
Extension of time granted

to September 5, 2003 to file appellant's opening brief.

**S065877**

PEOPLE v. LOPEZ, SERNA & TRUJEQUE  
Extension of time granted

to September 8, 2003 to appellant TRUJEQUE to file request for correction of the record. After that date, no further extension will be granted. Extension is granted based upon counsel Mark E. Cutler's representation that he anticipates filing that request in the superior court by 9/6/2003. Counsel for appellant is ordered to serve a copy for the record correction motion on this court upon its filing in the superior court.

**S115250**

GURULE (RAYMOND) ON H.C.  
Extension of time granted

to July 28, 2003 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General Jeffry M. Bryant's representation that he anticipates filing that document by 7/28/2003. After that date, no further extension is contemplated.

**S117130**

D041844 Fourth Appellate District,  
Division One

BAUMER v. S.C.; DEPT OF CORRECTIONS  
Transferred to CA 4/1

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S114423

MORTON ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **JILL MORTON aka Jill Shipounoff, State Bar No. 135107**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

S114424

FETTERMAN ON DISCIPLINE

Recommended discipline imposed

It is ordered that **DAVID ELIAS FETTERMAN, State Bar No. 189990**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for one year. **David Elias Fetterman** is further ordered to comply with the other conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 24, 2002, as modified by its order filed February 4, 2003. It is also ordered that **David Elias Fetterman** take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.)

**David Elias Fetterman** is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2004, 2005 and 2006. (Bus. & Prof. Code section 6086.10.)  
\*(See Bus. & Prof. Code, § 6126, subd. (c).)

S114429

HARRISON ON DISCIPLINE  
Recommended discipline imposed

It is ordered that **LAWRENCE VICTOR HARRISON, State Bar No. 202689**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 30 days. **Lawrence Victor Harrison** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed December 30, 2002, as modified by its order filed February 3, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

**S114431**

**CROSBY ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **SARAJANE CROSBY, State Bar No. 65552**, be disbarred from the practice of law and that her name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114433**

**SIRIN ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **CAN MITHAT SIRIN, State Bar No. 127299**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on February 21, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2004 and 2005. (Business & Professions Code section 6086.10.)

S114598

SALICA ON DISCIPLINE

Recommended discipline imposed

It is ordered that **WILLIAM JOHN SALICA, State Bar No. 92896**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; and until he makes the specified restitution as set forth more fully below, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for six months and until he makes the following restitution: (1) to the Clerk of the Los Angeles County Superior Court (or Peter A. Chaconas, Lydia Chaconas and Martina Chaconas, if appropriate, or the Client Security Fund, if appropriate) in the amount of \$999.00 plus 10% interest per annum from March 6, 1998; (2) to Martina Chaconas (or the Client Security Fund, if appropriate) in the amount of \$15,000.00 plus 10% interest per annum from November 4, 2002; (3) to Kelley Jackson and Bradley Gerig c/o Allan B. Gelbard, Esq. (or the Client Security Fund, if appropriate) in the amount of \$1,100.00 plus 10% interest per annum from October 20, 1999; (4) to Kelley Jackson and Bradley Gerig c/o Allan B. Gelbard, Esq. (or the Client Security Fund, if appropriate) in the amount of \$2,500.00 plus 10% interest per annum from November 1, 1994; (5) to Philip Aidikoff, Esq. (or the Client Security Fund, if appropriate) in the amount of \$1,000.00 plus 10% interest per annum from August 31, 1994; (6) to FVFT (or the Client Security Fund, if appropriate) in the amount of \$1,700.00 plus 10% interest per annum from November 23, 1999; (7) to the Los Angeles Superior Court Clerk (or the Client Security Fund, if appropriate) in the amount of \$1,499.00 plus 10% interest per

annum from February 7, 2001; and (8) to the Payee of Check Number 1002, issued from Washington Mutual Bank, Account Number 192-089459-9, Client Trust Account of William J. Salica (or the Client Security Fund, if appropriate) in the amount of \$150.00 plus 10% interest per annum from May 24, 2000, and furnishes satisfactory proof of the payment of the aforementioned restitution and satisfactory evidence of the identity of the Payee of Check Number 1002 (if appropriate) to the Probation Unit, State Bar Office of the Chief Trial Counsel. If **William John Salica** is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. **William John Salica** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 14, 2002, as modified by its order filed January 13, 2003. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2004, 2005 and 2006. (Bus. & Prof. Code section 6086.10.)

\*(See Bus. & Prof. Code, § 6126, subd. (c).)



**S114599****FEDYNYSHYN ON DISCIPLINE**  
Recommended discipline imposed

It is ordered that **MICHAEL P. FEDYNYSHYN, State Bar No. 123566**, be suspended from the practice of law for three years and until he complies with the probation conditions imposed in S096369 (State Bar Court case no. 00-H-14102) and in State Bar Court case nos. 98-H-00602 and 93-O-12761 and 95-O-18397 (Cons.), that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 18 months and until he complies with the probation conditions in the matters set forth above. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on January 24, 2003. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2004 and 2005.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114603****SMITH ON DISCIPLINE**  
Recommended discipline imposed

It is ordered that **TODD CHRISTIAN SMITH, State Bar No. 167013**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for three

years on condition that he be actually suspended for 60 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed February 25, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-fourth of said costs shall be added to and become part of the membership fees for the years 2005, 2006, 2007 and 2008. (Business & Professions Code section 6086.10.)

S114605

## AMBROSE ON DISCIPLINE

Recommended discipline imposed

It is ordered that **FRED J. AMBROSE, State Bar No. 183564**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 60 days and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California as recommended by the Hearing Department of the State Bar Court in its decision filed on January 8, 2003, as modified by its order filed January 10, 2003. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for

Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of respondent's actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If respondent is actually suspended for 90 days or more, it is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114607**

**DONATO ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **JAY W. DONATO, State Bar No. 153301**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114799**

**GRADY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **SCOTT LAFORCE GRADY, State Bar No. 153760**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his

rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including seven months actual suspension and until he makes restitution to Michael Pollack (or the Client Security Fund, if appropriate) in the amount of \$372 plus 10% interest per annum from January 4, 2001; to Marika Zoll (or the Client Security Fund, if appropriate) in the amount of \$2,500 plus 10% interest per annum from November 29, 2000, and furnishes satisfactory proof thereof to the Probation Unit of the State Bar, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on February 26, 2003. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114800****BASTA ON DISCIPLINE**

Recommended discipline imposed: disbarred

It is hereby ordered that **JOEL MARKUS BASTA, State Bar No. 68148**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114801****COX ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **THOMAS MARTIN COX, State Bar No. 122667**, be suspended from the practice of law for five years, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for two years and until he makes restitution to Julian Rodriguez (or the Client Security Fund, if appropriate) in the amount of \$2,500 plus 10% interest per annum from January 19, 2001, and furnishes satisfactory proof thereof to the Probation Unit of the State Bar; and until he has shown proof satisfactory to the State Bar Court of respondent's rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on February 27, 2003. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d

878, 891, fn. 8.) Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7. \*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114802**

SCHAPIRA ON DISCIPLINE  
Recommended discipline imposed

It is ordered that **MITCHEL J. SCHAPIRA, State Bar No. 67427**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed February 27, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

**S114804**

MEZA ON DISCIPLINE  
Recommended discipline imposed: disbarred

It is hereby ordered that **DANIEL G. MEZA, State Bar No. 108475**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the

California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)

**S114806**

**MATULIONIS ON DISCIPLINE**  
Recommended discipline imposed

It is ordered that **MARGIS JURGIS MATULIONIS, State Bar No. 109570**, be suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 30 days. **Margis Jurgis Matulionis** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed February 10, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.